

Remark  
8/8/05

### **REMARKS**

The office action dated May 25, 2005 has been carefully reviewed together with the present application and further amendments have been made to independent claims 1, 12 and 21 to distinguish the invention as claimed from the prior art and place the application in condition for immediate allowance.

The examiner has rejected independent claim 1 under 35 U.S.C. 102(b) as being anticipated by Clowers and has rejected independent claims 12 and 21 under 35 U.S.C. 103(a) as being unpatentable over Clowers in view of Lewin. In the examiner's response to applicant's arguments, the examiner stated that although the element 80 is not biased toward the second member bias spring as disclosed in applicant's specification, the claims merely call for the element 80 being biased toward the second member. And the element 80 is in the unlocked position to engage one of the recesses while the blade plunges into the workpiece and then locking the element 80 in the selected position when setting the depth of the desired cut.

It is respectfully submitted that Clowers fails to anticipate, teach or suggest the circular saw of claim 1, as now amended, which has a saw blade depth or adjustment detent mechanism that includes a saw blade depth detent bias toward a second member having a plurality of spaced saw blade depth recesses, each recess being engageable with said saw blade depth detent to resist vertical movement of said depth detent mechanism in either direction and thereby provide a plurality of predetermined saw blade depth settings within

said range of blade depths. Clowers has the step configuration of his tabs 58 which are engaged by the ear 84, but because of the inherent design, the Clowers structure only resists vertical movement in a single direction wherein the ear engages one of the tabs 58. Therefore, Clowers fails to anticipate, teach or suggest resisting vertical movement of said depth detent mechanism in either direction and thereby provide a plurality of predetermined saw blade depth settings as is recited in the last element of the claim.

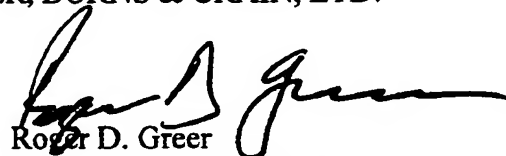
With regard to independent claims 12 and 21, they have been amended in a substantially similar manner and therefore are not believed to be taught or suggested by Clowers. Further, the basic deficiency of Clowers is not supplied by Lewin and therefore it is believed that claims 12 and 21 are also in condition for immediate allowance.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

  
Roger D. Greer  
Registration No. 26,174

July 11, 2005

300 South Wacker Drive, Suite 2500  
Chicago, Illinois 60606  
(312) 360-0080  
Customer No. 24978